

REMARKS

In the Final Office Action mailed January 10, 2006 ("the Final Office Action"), claims 1-7, 9-15, 17, 20-25, 27-34, and 36 were rejected under 35 U.S.C. § 102(b) in view U.S. Pat. Pub. No. 2003/0092451 ("Holloway"), claims 8, 16, 18-19, and 35 were rejected under 35 U.S.C. § 103(a) over Holloway in view of Official Notice of well-known prior art (MPEP 2144.03), claim 26 was rejected under 35 U.S.C. § 103(a) over Holloway in view of U.S. Pat. No. 6,856,806 ("Bosik"), claim 37 was rejected under 35 U.S.C. § 103(a) over Holloway in view of U.S. Pat. No. 6,574,470 ("Chow").

Claims 2, 5, 6, 14, 16, 17, and 28-31 have been canceled without prejudice or disclaimer rendering the rejection of these claims moot. Claims 38-45 have been added. No new matter has been added. Applicant respectfully requests continued examination in light of the present amendments.

1. Rejection of Claims Under 35 U.S.C. § 102

Claims 1, 3, 4, 7, 9-13, 15, 20-25, 27, 32-34, and 36 were rejected under 35 U.S.C. §102(b) as being anticipated by Holloway at page 2 of the Final Office Action.

Holloway discloses when a mobile phone 230 comes within the range of a transmitter 220, the mobile phone 230 receives a transmitted signal (step 310). *Holloway*, p. 2, paragraph 0017. The transmitted signal includes a phone number of a preferred phone 240 associated with the transmitter. *Id.* The mobile phone 230 then sends an overhead message to cellular system 210 requesting forwarding of calls to the preferred phone 240 and passes on the appropriate phone number for forwarding. *Id.*

Holloway also discloses that a mobile phone 230 passes its identity (ID) to the preferred phone 340, and the mobile phone 230 "effectively removes itself from the system and will no longer respond to calls to its ID". *Holloway*, p. 2, paragraph 0020. In this instance, because of the transfer of identity, the transaction is secure and the phone and transmitter exchange a "handshake" greeting, verifying that they are intended to work together. *Holloway*, p. 2, paragraph 20.

In direct contrast to the teaching of Holloway, independent claim 1 recites comparing a value received from a wireless beacon to a look up table accessible to a communication interface

to determine whether the wireless beacon is recognized and to identify an alternate network address. Holloway fails to disclose or suggest comparing a value received from the wireless beacon to a look up table accessible to a communication interface to determine whether the wireless beacon is recognized and to identify an alternate network address, as recited in claim 1. Rather, in a first embodiment of Holloway, the alternate phone number is sent to the mobile phone by the transmitter. In a second embodiment of Holloway, there is no alternate network address since the identity of the mobile phone is passed to the preferred phone.

Independent claim 3 recites selecting a destination telephone from a look up table within the mobile phone based on the value received from the wireless beacon. Holloway fails to disclose or suggest selecting a destination telephone from a look up table within the mobile phone based on the value received from the wireless beacon, as recited in claim 3.

Independent claim 13 recites determining whether the identifier comprises a recognized identifier based on a look up table accessible to the wireless mobile communication device. Holloway fails to disclose or suggest determining whether the identifier comprises a recognized identifier based on a look up table accessible to the wireless mobile communication device as recited in claim 13.

Independent claim 27 recites a first control module to provide a request to forward communications to an alternate communication device, wherein the alternate communication device is proximal to a transmitter, and when the transmitter is transmitting an identifier recognized by the first control module as associated with the alternate communication device. Holloway fails to disclose or suggest transmitting an identifier recognized by the first control module as associated with the alternate communication device, as recited in claim 27.

Independent claim 32 recites a call forward module including a table of alternate network addresses associated with recognized wireless beacon identifiers. Holloway fails to disclose or suggest a call forward module including a table of alternate network addresses associated with recognized wireless beacon identifiers, as recited in claim 32.

Independent claim 36 recites the unique identification of a wireless beacon allowing the wireless mobile device to select an alternate network destination address for receipt of external communication. Holloway fails to disclose or suggest a wireless mobile device to select an

alternate network destination address for receipt of external communication, as recited in claim 36.

Thus, Holloway fails to disclose or suggest at least one of the elements of independent claims 1, 3, 13, 27, 32 and 36. Claims 4, 7, 9-12, 15, 20-25, 33, and 34 depend from claims 1, 3, 13, 27, and 32. Therefore, Holloway fails to disclose or suggest at least one of the elements of claims 4, 7, 9-12, 15, 20-25, 33, and 34, at least by virtue of their dependency from claims 1, 3, 13, 27 and 32. Therefore, the rejection of claims 1, 3, 4, 7, 9-13, 15, 20-25, 27, 32-34, and 36 is improper and should be withdrawn.

2. Rejection of Claims 8, 18, 19 and 35 Under 35 U.S.C. § 103

At page 11 of the Final Office Action, claims 8, 18, 19 and 35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Holloway in view of Official Notice. The Official Notice is taken with respect to the various communication protocols recited in the claims. However, claims 8, 18, 19, and 35 depend from claims 3, 13, and 32, respectively. Applicant submits that the Official Notice does not overcome the deficiencies in Holloway relative to the independent claims 3, 13, and 32, as previously discussed. Thus, the combination of Holloway and the Official Notice fails to disclose each of the elements of the independent claims. Therefore, the rejection of claims 8, 18, 19 and 35 is improper and should be withdrawn.

3. Rejection of Claim 26 Under 35 U.S.C. §103(a)

At page 15 of the Final Office Action, claim 26 is rejected under 35 U.S.C. §103(a) as being unpatentable over Holloway in view of Bosik. In particular, the Final Office Action cites Bosik as disclosing “a method wherein the user action (i.e. responding to voice prompt with ‘yes’ or ‘no’) is a voice request.” *Final Office Action*, p. 15.

The Final Office Action cites to Bosik at Column 5 through Column 6, line 30. Applicant respectfully submits that the cited text of Bosik refers to a call forwarding initiation process, allowing a user to set up a call forwarding selection by responding to voice prompts. However, claim 26 recites determining to withdraw the request to forward voice communication requests, wherein the request is withdrawn in response to a user action, wherein the user action is a voice request. The combination of Bosik with Holloway provides a voice-enabled call forwarding initialization; however, the combination of Holloway and Bosik fails to disclose or

suggest withdrawing the request to forward voice communication requests in response to a user action, *wherein the user action is a voice request*, as recited in claim 26. Therefore, the asserted combination of Holloway and Bosik fails to disclose or suggest each of the elements of claim 26.

4. Rejection of Claim 37 Under 35 U.S.C. §103(a)

At page 15 of the Final Office Action, claim 37 is rejected under §103(a) as being unpatentable over Holloway in view of Chow. Chow is cited as disclosing “a Digital verification color code” to identify when a requested mobile unit is on a particular traffic channel. *Final Office Action*, p. 16 citing Chow, Col. 37, lines 55-60.

Chow discloses a mobile station that assumes the characteristics of a desktop phone. *See Chow*, Col. 15, lines 30-47. Chow discloses that when a call arrives at the subscriber’s desktop phone 109, if the user does not answer, the switch uses AIN triggers to request additional routing instructions from the network server platform 106, which locates the subscriber’s mobile station 101 and directs a logical digital switch 104 to forward the call to a voice access port 103 that is servicing the subscriber’s mobile station. *See Chow*, Col. 16, lines 15-26. However, Chow makes no mention of a unique identification of a wireless beacon allowing a wireless mobile device to select an alternate network destination address for receipt of external communication. Instead, the network server platform 106 locates the subscriber’s mobile station 101 and directs the switch to forward the call to the voice access port 103 that is servicing the mobile station 101. *See Chow*, Col. 16, lines 15-26.

Claim 37 depends from independent claim 36. Independent claim 36 recites a unique identification of a wireless beacon allowing a wireless mobile device to select an alternate network destination address for receipt of external communication. Holloway fails to disclose or suggest a unique identification of a wireless beacon allowing a wireless mobile device to select an alternate network destination address for receipt of external communication, as recited in claim 36. Similarly, Chow fails to disclose a unique identification of a wireless beacon allowing a wireless mobile device to select an alternate network destination address for receipt of external communication, as recited in claim 36. Thus, the combination of Holloway and Chow fails to disclose or suggest all of the elements of claim 36. Therefore, the combination of Holloway and Chow fails to disclose or suggest all of the elements of claim 37, at least by virtue of its dependency from claim 36.

5. New Claims

Claims 38-45 have been added. Claims 38-45 do not include any new matter. Claims 38-45 each depend from independent claims 1, 32 or 36. As discussed above, the art cited in the Final Office Action does not disclose or suggest at least one element of independent claims 1, 32 and 36. Therefore, the art cited in the Final Office Action also does not disclose or suggest a least one element of claims 38-45. Claims 38-45 are therefore allowable at least in light of their dependence from claims 1, 32 and 36.

CONCLUSION

Applicant has pointed out specific features of the claims not disclosed, suggested or rendered obvious by the references applied in the Final Office Action. Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the rejections, as well as an indication of allowability of each of the claims now pending.


If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney or agent.

Applicant(s) does not believe that any additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date



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